Annual Report of the Saskatchewan Conflict of Interest Commissioner And Registrar of Lobbyists

Ronald L. Barclay, Q.C.

2015-2016

Office of the
Registrar of Lobbyists
Saskatchewan

Office of the
Registrar of Lobbyists
Saskatchewan

Saskatchewan
Conflict of Interest
Commissioner

July 29, 2016

The Honourable Corey Tochor
Speaker of the Legislative Assembly of
Saskatchewan
2405 Legislative Drive
Regina, SK S4S 0B3

Dear Mr. Speaker:

I have the pleasure and honour to present to you the Annual Report of the Conflict of Interest Commissioner and Registrar of Lobbyists for the period of April 1, 2015 to March 31, 2016.

This Report is submitted pursuant to Section 25 of *The Members' Conflict of Interest Act*, Chapter M-11.11, Statutes of Saskatchewan, 1993.

Yours respectfully,

R. L. Barclay

Ronald L. Barclay, Q.C.
Conflict of Interest Commissioner
And Registrar of Lobbyists

ANNUAL REPORT

To the Legislative Assembly

For the Year Ending March 31, 2016

It is an honour and privilege to submit my fifth Annual Report of the Office of the Conflict of Interest Commissioner for the Province of Saskatchewan. This report also includes a summary of activities for the Office of the Registrar of Lobbyists.

I was formally appointed to a five-year term by Resolution of the Legislative Assembly of Saskatchewan on April 29, 2010.

On December 2, 2015, I was re-appointed by the Legislative Assembly of Saskatchewan as Conflict of Interest Commissioner for the Province of Saskatchewan for a further period of five years which second term commenced on April 29, 2015.

In December 2, 2015 I also assumed the duties as Registrar of Lobbyists, the term to coincide with my mandate as Conflict of Interest Commissioner.

Saskatchewan
Conflict of Interest
Commissioner

THE OBLIGATIONS OF MEMBERS

The responsibilities of the Members as I stated in my last Annual Report are as follows:

Persons elected to the Legislative Assembly of Saskatchewan are subject to statutory obligations designed to avoid any conduct that may constitute a conflict of interest on the part of the Member. These statutory obligations are set forth in *The Members' Conflict of Interest Act* (the *Act*) adopted by the Legislative Assembly twenty-two (22) years ago.

Members are prohibited from using information that they have acquired as Members of the Legislative Assembly and which is not available to the general public, for the purpose of advancing the private interest of the Member, his or her family, or an associate. This prohibition is set forth in Section 4 of the *Act*.

> ***4*** A member shall not use information that is gained in the execution of his or her office and is not available to the general public to further or to seek to further the member's private interest, his or her family's private interest or the private interest of an associate.

Additionally, a Member must not use his or her position to influence other decision makers to advance the private interest of the Member, his or her family or an associate. This prohibition is set forth in Section 5 of the *Act*.

> ***5*** A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate.

Members of the Legislative Assembly are prevented by statute from accepting, except in specific circumstances, any gifts or benefits offered to them in respect of the carrying out of the Member's duties. This prohibition is set forth in Section 7 of the *Act*.

> ***7***(1) Neither a member nor any of the member's family shall accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of the member's duties of office.

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

(3) Where a gift or personal benefit mentioned in subsection (2) is greater than $200 in value, or where the total value received directly or indirectly from one source in any 12-month period is greater than $200, the member shall immediately file with the commissioner a disclosure statement.

(4) The disclosure statement required pursuant to subsection (3) shall:
(a) be in the form prescribed by the regulations; and
(b) indicate the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

The interpretation of the provisions referred to above is based in part on the wording of Section 3 of the *Act* which provides a definition of "conflict of interest".

3 For the purposes of this Act, a member has a conflict of interest when the member makes a decision or participates in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest, his or her family's private interest or the private interest of an associate.

A MEMBER MUST AVOID DOING THE FOLLOWING:

- Participating in a Government Contract except those contracts exempted by Section 15(6) of the *Act* or those approved by the Commissioner pursuant to Section 16 of the *Act*.
- Making a decision or participating in the making of a decision in the execution of his or her office while at the same time knowing that in the making of the decision, there is the opportunity to further the Member's private interest or the private interest of a Member's family or the Member's associate (Section 3)
- Using information that is gained in the execution of his or her office and which information is not available to the general public to further or seek to further the Member's private interest or the private interest of the Member's family or the Member's associate (Section 4).

- Using the Member's office to seek to influence a decision made by another person to further the Member's private interest or the private interest of his or her family or his or her associate (Section 5).
- Accepting any fee, gift or personal benefit other than compensation authorized by law that is connected directly or indirectly with the performance of the Member's duties or office, unless the gift or personal benefit is received by the Member as an incident of the protocol or social obligations that normally accompany the responsibilities of office (Section 7).

RESPONSIBILITIES OF THE CONFLICT OF INTEREST COMMISSIONER

The Conflict of Interest Commissioner is an Officer of the Legislative Assembly and is independent of Government. In my view, the complete independence granted to the Commissioner and the Office is essential in the carrying out of the statutory requirements detailed in *The Members' Conflict of Interest Act*.

It is the responsibility of the Commissioner to ensure that each Member of the Legislative Assembly maintains a high standard of ethical conduct.

A conversation I had as a young lawyer, after arguing a case in the Supreme Court of Canada, with Chief Justice Brian Dickson had a profound influence on me. After encouraging me to accept a judicial appointment, if offered, he said as a judge you only answer to the law and your own conscience. Those words stuck with me through my judicial career. As a result of his advice, I have always been cognizant of the importance of the independence of the judiciary and its effect on the rule of law in a democratic society. The comments of the Chief Justice equally apply to my present role.

Our mandate is about more than just following the rules. It is about doing the right thing. In other words, when applying the rules, I always inquire what makes sense.

The duties of the Commissioner are to:

- act as an **adviser** to Members to ensure they meet their obligations under the *Act;*
- meet with each Member at least annually to review the **disclosure** of the Member's financial interests;
- **gather information** in response to requests made under the *Act*; and
- undertake a **formal inquiry** into alleged contraventions of the *Act.*

The Commissioner's primary role is that of an adviser to Members. I encourage all members to consult with me at the earliest opportunity if they have questions or concerns about their obligations so that potential conflict of interest situations can be avoided. The majority of requests usually come from Ministers, given the wider scope of their duties and their additional obligations under the *Act.*

Requests for opinions come in various forms. Members may have an informal conversation with me, or may make a formal request for a written response. If I decide that a Member has or may have a conflict of interest, I can make recommendations specifying a timeframe for compliance.

My opinions and recommendations are confidential unless released by the Member or with the Member's consent.

In Saskatchewan, within 90 days after an election and annually by March 31st for each year after that, each Member must file a MEMBER'S PRIVATE DISCLOSURE STATEMENT with me, in the form prescribed by the regulations. This disclosure statement must contain an accounting of the *nature* of the assets, liabilities and financial interests of the Member, the Member's spouse, minor children and private corporations they control.

However, this year (2016) certain changes were made to the disclosure process as the Saskatchewan legislature did not contemplate an election on April 4, 2016 when they enacted *The Members' Conflict of Interest Act*. Therefore, in November, 2015 I sent the following letter to the Members:

Normally the Member's Private Disclosure Statements for any given year are to be completed, signed and filed with me prior to March 31 of the following year. However, in view of the April, 2016 election I expect compliance with the legislation (annual filing) by January 31, 2016. This would include the members that are not running in the election as they remain members until April 4, 2016.

In order to facilitate the earlier filing I would permit Members to use the short form declaration where there is no or only minimal change to the Member's declaration. In this regard I would refer the Members to subsection 11(6) of *The Members' Conflict of Interest Act* which provides:

> **11**(6) Notwithstanding subsections (1) to (5), if a member has previously filed a disclosure statement pursuant to subsection (1) and the commissioner is satisfied that there has been no or only minimal material change to the content of the member's disclosure statement, the commissioner may authorize the member to submit a declaration in the prescribed form that:
>
> (a) declares that no material change has occurred since the last disclosure statement was filed pursuant to this section; or
>
> (b) details the material changes since the last disclosure statement was filed pursuant to this section.

A further problem arises with an April election in respect to the disclosure process. Subsections 11(1), (2) and (3) of the Act provide:

> **11**(1) Every member shall file with the commissioner a disclosure statement in the form prescribed by the regulations.
>
> (2) The disclosure statement mentioned in subsection (1) shall be filed:
>
> (a) in the case of a member who is in office when this section comes into force, within 90 days of this section coming into force;
>
> (b) in the case of a member who is elected, within 90 days of being elected.
>
> (3) After filing a disclosure statement in accordance with subsection (2), the member shall file a disclosure statement annually, but not later than March 31 in each year.

Therefore, although all members must file a disclosure statement within 90 days of being elected, in this instance I will require the members to file their disclosure statement not later than May 15, 2016. Accordingly for a member who is re-elected they may again file a declaration of no material change from the disclosure made earlier that year as it was previously filed pursuant to subsection (1).

New members must submit a copy of the long form of the Member's Private Disclosure Statement by May 15, 2016. The reason I make this request is that I must review and consult with the Members prior to their Public Disclosure Statements being filed with the Clerk of the Legislative Assembly by June 30, 2016.

The disclosure requirements are the same for all Members.

Once the private disclosure statement has been filed with our Office, the Member (and spouse if available) meets with the Commissioner to discuss their obligations under the *Act*. This annual meeting with the Commissioner is required for all Members.

This meeting with Members also helps develop a good working relationship between the Commissioner and the Members. These meetings permit me to raise any issues I may have concerning the Member's private disclosure statement as well as to ensure that the information is accurate and complete. It also gives each Member an opportunity to inquire about the application of the *Act* to their particular circumstances. This annual meeting is most useful not only for me but also for the Members.

After meeting with the Member, I prepare a MEMBER'S PUBLIC DISCLOSURE STATEMENT which contains all relevant information provided by the Member (and spouse if applicable). They are filed on-line with the Office of the Clerk of the Legislative Assembly prior to June 30.

It is critical to underscore that these meetings also provide a further opportunity for me to identify and resolve any potential conflicts of interest.

Last year I met with all 58 Members.

They each consulted with me and where necessary, provided me with information I believed was lacking in their private disclosure statement. I was satisfied that each Member was aware of his or her statutory obligations to avoid actual or perceived conflicts of interest in the carrying out of their legislative and executive responsibilities, and each was desirous of observing the letter and spirit of the *Act*.

GIFTS

Some time ago I circulated to all Members of the Legislative Assembly a booklet called "Accepting and Disclosing Gifts: A Guide for Members". This booklet provides examples of instances when it is appropriate and inappropriate for an MLA to accept gifts and/or benefits. As to when an MLA can accept gifts is an ongoing and important concern. I also thought it would be helpful to include a copy of *The Members' Conflict of Interest Act*, as an appendix.

Members should avoid circumstances where a reasonable person might conclude that the gift or benefit given was intended to influence the Member in carrying out his or her duties. This concern is obviously heightened when gifts are received from a donor who has official dealings with the Government.

The rules provide that Members are permitted to accept only those gifts or benefits connected with the performance of their duties if it is "a gift or personal benefit that is received as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of office." Gifts arise due to a protocol, custom or social obligation if a Member, for example, participated in a ribbon-cutting ceremony, or made a speech.

Consideration should be given to the following questions when offered a gift or benefit:

- How is this gift connected to my responsibilities of office?
- Can the gift or benefit reasonably be seen to be given to influence me in the exercise of my official responsibilities of office (either as a Member or Minister)?
- Is there an expectation that I will do something for the donor in return?

In the absence of a protocol, custom or social obligation, the gift is not permissible under section *7* of the *Act*. If the gift has already been accepted by the Member, the Conflict of Interest Commissioner usually recommends that the gift be returned or reimbursement made to the donor. Gifts received with a value over $200 must be publicly disclosed.

CANADIAN CONFLICT OF INTEREST NETWORK ANNUAL CONFERENCE

In September of 2015, the Commissioner attended the annual conference of the Canadian Conflict of Interest Network (CCOIN) which took place in Quebec City, Quebec.

CCOIN is comprised of the various Ethics and Conflict of Interest Commissioners across the country at the federal, provincial and territorial levels of government and primarily those who have jurisdiction over members of legislative bodies.

The organization meets on an annual basis to discuss issues of common interest and to seek the advice and view of colleagues concerning matters related to conflicts of interest and ethics. These meetings are very beneficial as there are many Canadians who carry out legislative and executive responsibilities similar to the 58 Members of the Saskatchewan Legislative Assembly and it is helpful to learn at the annual conference how colleagues deal with issues that are common or unique to this aspect of the democratic process.

This informal network is also a valuable resource throughout the year. Commissioners stay in touch via e-mail and are able to connect with colleagues to seek their views on issues as they arise.

Office of the Registrar of Lobbyists Saskatchewan

OBLIGATIONS OF THE REGISTRAR OF LOBBYISTS

In the interests of transparency and stakeholder engagement, information on the Office of the Registrar of Lobbyists and its related activities is included herein. As the Office of the Registrar of Lobbyists has undertaken significant activities in preparation for implementation of *The Lobbyists Act* and registry, for this year only, activities beyond the fiscal year end, up to the date of publication are included.

OFFICE OF THE REGISTRAR OF LOBBYISTS

In accordance with the legislation, Ronald L. Barclay, Q.C, who is the current Conflict of Interest Commissioner, also administers *The Lobbyists Act* in his capacity as Registrar. The Office of the Registrar of Lobbyists is also an independent office of the Legislative Assembly.

The two roles, Conflict of Interest Commissioner and Registrar of Lobbyists, are an excellent fit for one person. The Conflict of Interest Commissioner is focused on integrity and ethics of the members of the legislature and providing advice. Those same principles apply in relation to lobbyist associations with public office holders. Each office is completely independent of government and is accountable to the Legislative Assembly.

The office of the Registrar of Lobbyists has now been established and is fully operational. Work over the past year has centered on development of the lobbyist registry and the web site.

The Lobbyist legislation will be proclaimed August 23, 2016.

The purpose of the *Act* is to enhance the integrity and accountability of government by fostering openness and transparency about who is attempting to influence decisions made by provincial public office holders. Once the legislation is in effect, lobbyists will be required to register their activities in the registry database. The lobbyists' registry is the foundation of the Office and the legislation.

It is important to note that to lobby is an integral part of the democratic process and to lobby public officer holders is a legitimate activity in a democratic system of free and open access to government.

Lobbying creates a forum to discuss adverse points of view and the opportunity for the public office holder to discern additional information that may assist them in making an informed decision.

This democratic tradition of lobbying is deeply rooted in the Magna Carta which confirmed the right of nobles to seek redress of grievances with the King and the Bill of Rights, 1689, which declares that "it is the right of the subjects to petition the King".

The Saskatchewan legislation defines lobbying in a manner consistent with the definition in other provinces. In order to be considered lobbying there must be:

a) communication

b) with a public office holder

c) a payment to the person who is lobbying

d) in an attempt to influence a government decision or outcome.

In Saskatchewan lobbying may be done by consultant lobbyists or in-house lobbyists. If you are characterized as a lobbyist you must create an account and then regularly disclose details of your lobbying activities with provincial public office holders by registering this information on the lobbyists' registry. This information becomes available to the public as soon as it has been accepted by the Registrar.

WEBSITE

The Saskatchewan Registrar of Lobbyists website was launched on June 1, 2016.

Amplify Digital Marketing, under direction of the Office of the Registrar of Lobbyists, created a contemporary and engaging website.

The main focus of the website is to provide education and information to the three main stakeholders affected by *The Lobbyists Act*: citizens, public office holders and lobbyists. Under each of these respective sections there is information that will be helpful in understanding the legislation and how it applies to each stakeholder group. Access to the complete text of the *Act* and the Regulations is available from the website.

A large amount of feedback on the website has already been received and all of it has been very positive. The "Are you a lobbyist" quiz is a fun, interactive tool designed for information purposes and has been especially well received.

This website can be accessed through www.sasklobbyistregistry.ca

REGISTRY

The Lobbyists Registry will be launched August 23, 2016.

The Registry is accessed through the Registrar of Lobbyists website. Lobbyists must create an account and register their lobbying activities through the portal found on the website. Once the registry is launched and has been populated by data from lobbyists, citizens and other interested stakeholders will be able to search the registry and access information on who is lobbying whom, for what purpose and through what type of communication.

The lobbyists' registry provides transparency in terms of how business and interest groups interact with government. It provides the public with easily accessed information about who is lobbying the Saskatchewan government and on what topics.

In January, 2016 a Saskatchewan based firm, Engineered Code Consulting (ECC), began development of the lobbyist registry. This firm was the successful vendor of an extensive RFP process that included 16 submissions from across Canada and the United States.

ECC has been working hard on this project since being awarded the contract and continues to work with a business analyst and an additional IT consultant, also under contract with the Office

of the Registrar of Lobbyists, to develop a made in Saskatchewan registry. As of the writing of this report, the lobbyist registry is in the final testing stage and the Office is looking forward to launching the registry on August 23, 2016 to coincide with the legislation coming into force.

COMMUNICATIONS AND OUTREACH

The Office of the Registrar of Lobbyists also engaged a Saskatchewan based firm, Praxis Consulting, to work with us in creating a comprehensive communication strategy. This strategy focuses on education and ensuring awareness of *The Lobbyists Act*. As part of the mandate to make citizens and stakeholders aware of the new legislation and requirements therein, the Office of the Registrar of Lobbyists implemented the communications strategy on June 1, 2016 with the launch of the website.

While the website provides significant information for citizens, public office holders and lobbyists we will continue to add informational items to it as the office evolves. One such item will be a step by step "how to register" video and an interactive presentation for public office holders.

Other tools in the communications strategy, which continues to roll out, include presentations and written communications to various interest and stakeholder groups, print and electronic media interviews, notices in numerous publications throughout Saskatchewan and other provinces as well as written materials. Information and communiques from the Registrar will also be added to the web site as updates are available.

REGISTRAR OF LOBBYISTS CONFERENCE

In September, 2015 the Registrar and Deputy Registrar attended the Lobbyists Conference in Winnipeg, Manitoba.

This conference was attended by peers and colleagues from across Canada. There were a number of guest speakers at this conference who provided interesting and informative views on lobbying within the Canadian context. These views were widely debated and provided a lot of useful information from other jurisdictions regarding best practices, current practices and future innovations.

The Registrar and Deputy Registrar are members of the Council on Governmental Ethics and Laws (COGEL). This organization coordinates an annual conference that attracts international speakers and attendees on a wide variety of topics related to the Conflict of Interest and Lobbyists mandate. In December, 2015 the Registrar attended this conference in Boston, Massachusetts.

As a new jurisdiction to the lobbying regulatory environment, national and international views are particularly useful for Saskatchewan in establishing operational policies, clarifying legislation and understanding the practical realities associated with administering lobbying legislation.

Office of the
Registrar of Lobbyists
Saskatchewan

July 15, 2016

Responsibility for the Financial Statements

The accompanying financial statements are the responsibility of the Office of the Conflict of Interest Commissioner and Registrar of Lobbyists (Office). The financial statements have been prepared in accordance with Canadian public sector accounting standards.

The Office maintains appropriate systems of internal control, including policies and procedures which provide reasonable assurance that the Office's assets are safeguarded and that financial records are relevant and reliable.

The Provincial Auditor of Saskatchewan conducts an independent audit of the financial statements. Her examination is conducted in accordance with Canadian generally accepted auditing standards and includes tests and other procedures which allow her to report on the fairness of the financial statements.

R. L. Barclay

Ronald L. Barclay, Q.C.
Saskatchewan Conflict of Interest Commissioner
And Registrar of Lobbyists

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

FINANCIAL STATEMENTS

For the Year Ended March 31, 2016

PROVINCIAL AUDITOR
of Saskatchewan

INDEPENDENT AUDITOR'S REPORT

To: The Members of the Legislative Assembly of Saskatchewan

I have audited the accompanying financial statements of the Office of the Conflict of Interest Commissioner, which comprise the statement of financial position as at March 31, 2016, and the statements of operations and accumulated surplus, changes in net debt and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Office of the Conflict of Interest Commissioner as at March 31, 2016, and the results of its operations, changes in its net debt and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Judy Ferguson

Regina, Saskatchewan
June 29, 2016

Judy Ferguson, FCPA, FCA
Provincial Auditor

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Statement 1

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF FINANCIAL POSITION
AS AT MARCH 31

	2016	2015
Financial assets		
Due from General Revenue Fund	$ 181,683	$ 30,818
Liabilities		
Accounts payable and accrued liabilities	157,432	30,124
Accrued leave entitlements	24,251	694
	181,683	30,818
Net debt (Statement 3)	-	-
Non-financial assets		
Tangible capital assets (Note 3)	131,941	18,679
Prepaid expenses	-	921
Accumulated surplus (Statement 2)	$ 131,941	$ 19,600

Contractual obligations (Note 8)

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS
FOR THE YEAR ENDED MARCH 31

	2016 Budget (Note 4)	2016 Actual	2015 Actual
Revenues			
General Revenue Fund - Appropriation	$ 589,000	$ 707,518	$ 292,366
Expenses			
Salaries	330,000	353,199	168,540
Contractual Services	151,950	101,823	38,490
Office Space and Equipment Rentals	49,200	52,755	29,590
Travel	30,300	13,531	11,628
Amortization (Note 3)	-	55,316	10,480
Advertising and Printing	10,100	3,191	6,702
Office Supplies and Expenses	9,200	4,789	3,345
Dues and Fees	2,300	4,195	2,692
Communication	3,950	4,906	1,558
Repairs and Maintenance	2,000	1,472	1,672
Total expenses	589,000	595,177	274,697
Operating surplus for the year	$ -	112,341	17,669
Accumulated surplus, beginning of year		19,600	1,931
Accumulated surplus, end of year (Statement 1)		$ 131,941	$ 19,600

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF CHANGES IN NET DEBT
FOR THE YEAR ENDED MARCH 31

	2016	2015
Operating surplus for the year	$ 112,341	$ 17,669
Acquisition of tangible capital assets (Note 3)	(168,578)	(27,228)
Amortization of tangible capital assets (Note 3)	55,316	10,480
	(113,262)	(16,748)
Decrease (increase) in prepaid expense	921	(921)
	(112,341)	(17,669)
Decrease (increase) in net debt	-	-
Net debt, beginning of year	-	-
Net debt, end of year (Statement 1)	$ -	$ -

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED MARCH 31

	2016	2015
Cash from (used in) operating activities:		
General Revenue Fund appropriation received	$ 556,652	$ 261,671
Salaries paid	(329,398)	(168,090)
Supplies and other expenses paid	(58,676)	(66,353)
Cash from operating activities	168,578	27,228
Cash from (used in) capital activities:		
Purchase of tangible capital assets (Note 3)	(168,578)	(27,228)
Cash used in capital activities	(168,578)	(27,228)
Increase (decrease) in cash and cash equivalents	-	-
Cash and cash equivalents, beginning of year	-	-
Cash and cash equivalents, end of year	$ -	$ -

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED MARCH 31, 2016

1. Authority and Description of Operations

The *Members' Conflict of Interest Act* establishes the Office of the Conflict of Interest Commissioner. The Commissioner is an officer of the Legislative Assembly and is appointed by resolution of the Assembly. The mandate of the Office is to coordinate disclosure of assets held by Members, provide advice on conflict of interest issues, conduct inquiries and provide opinions on compliance with the *Members' Conflict of Interest Act* if requested by a Member, the President of Executive Council or the Legislative Assembly. The Conflict of Interest Commissioner also serves as the Lobbyist Registrar and oversees the lobbyist registry, promotes and educates the general public, stakeholders, and the lobbyist community about *The Lobbyist Act* and ensures compliance and conformity of lobbyists to *The Lobbyist Act*. Under the provisions of *The Lobbyist Act*, once proclaimed, the Conflict of Interest Commissioner will promote transparency about people and organizations who are attempting to influence government decision making.

2. Significant Accounting Policies

The Office uses Canadian public sector accounting standards to prepare its financial statements. These statements do not include a Statement of Remeasurement Gains or Losses as the Office has no activities that give rise to remeasurement gains or losses. As a result, its accumulated surplus is the same as its accumulated operating surplus. The following accounting policies are considered to be significant.

(a) Revenue

The Office receives an appropriation from the Legislative Assembly to carry out its work. General Revenue Fund appropriations are included in revenue when amounts are spent or committed.

(b) Tangible capital assets

Tangible capital assets are reported at cost less accumulated amortization. The threshold for capitalization of assets is $500. Tangible capital assets are amortized on a straight-line basis over a life of five years except for leasehold improvements which are amortized over two years.

3. Tangible Capital Assets

	System Development	Computer Hardware	Equipment & Furniture	Leasehold Improvements	Total 2016	Total 2015
Cost, April 1	$ -	$ 6,307	$ 20,232	$ 19,395	$ 45,934	$ 18,706
Additions	120,765	-	4,308	43,505	168,578	27,228
Disposals	-	-	-	-	-	-
Cost, March 31	120,765	6,307	24,540	62,900	214,512	45,934
Accumulated Amortization April 1	-	2,070	10,962	14,223	27,255	16,775
Amortization	24,153	1,059	3,179	26,925	55,316	10,480
Adjustment for disposals	-	-	-	-	-	-
Accumulated Amortization March 31	24,153	3,129	14,141	41,148	82,571	27,255
Net Book Value, March 31	$ 96,612	$ 3,178	$ 10,399	$ 21,752	$ 131,941	$ 18,679

4. Budget

These amounts represent funds approved by the Legislative Assembly to enable the Commissioner to carry out his duties under *The Members' Conflict of Interest Act and The Lobbyist Act*. The Office's expenditures are limited to the amount appropriated to it by the Legislative Assembly.

The amount appropriated for the year was $589,000. During the year, additional funding was requested to procure resources to assist with the designing and implementation of the province's lobbyists registry. On December 2, 2015, $141,659 was recommended for approval by the Board of Internal Economy (Meeting #6/15). This amount was ultimately approved by the Standing Committee on House Services.

5. Lapsing of appropriation

The Office follows *The Financial Administration Act, 1993* with regards to its spending. If the Office spends less than its appropriation by March 31, the difference is not available to acquire goods and services in the next fiscal year.

6. Costs borne by other agencies

The Office has not been charged with certain administrative costs and employee benefit costs. These costs are borne by the Legislative Assembly and the Ministry of Finance. No provision for these costs has been made in these financial statements.

7. Financial Instruments

The Office's financial instruments include Due from the General Revenue Fund and accounts payable and accrued liabilities. The carrying amount of these instruments approximates fair value due to their immediate or short-term maturity. These instruments have no significant interest rate or credit risk.

8. Contractual Obligations

On February 8, 2016 the Office signed a new lease covering the period February 1, 2016 to August 31, 2018. Annual commitments under the signed lease agreement, before escalation are $45,993.96.

9. Pension Plan

The Office participates in a defined contribution pension plan for the benefit of its employees. The Office's financial obligation of the plan is limited to making payments of 5% of employee's salaries for current service.

BUDGET FOR COIC 2016-2017

	ESTIMATES 2016-2017
Personal Services	$201,781
Contractual Services	$ 37,050
Communications	$ 3,000
Travel and Business	$ 6,000
Supplies and Services	$ 5,250
TOTAL	**$263,059**

BUDGET FOR REGISTRAR OF LOBBYISTS 2016-2017

	ESTIMATES 2016-2017
Personal Services	$198,117
Contractual Services	$102,500
Communications	$ 8,000
Travel and Business	$ 15,000
Supplies and Services	$ 4,500
Equipment and Assets	$117,000
TOTAL	**$445,117**

EXPRESSION OF APPRECIATION

I wish to express my appreciation to Beverley Yuen, my executive assistant and to Ron Samways from the Clerk of the Legislative Assembly Office for their assistance. Our achievements could not have been possible without their dedication and contributions. I extend my sincere thanks to each of them for their valuable service.

The persons that are employed in the offices of the Speaker, the Clerk of the Legislative Assembly and Financial Services have also been of great assistance to me. Their help has been invaluable and I express my sincere thanks to all of them.

APPENDIX

The Members' Conflict of Interest Act

being

Chapter M-11.11* of the *Statutes of Saskatchewan, 1993* (consult Table of Saskatchewan Statutes for effective date) as amended by the *Statutes of Saskatchewan*, 1998, c.P-42.1; 2002, c.52; 2004, c.65; 2005, c.L-11.2; 2007, c.6; 2013, c.27; 2014, c.E-13.1; and 2015, c.16.

*NOTE: Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER M-11.11

An Act respecting the Conduct of Members of the Legislative Assembly and Members of the Executive Council, respecting Conflicts of Interest and to enact Consequential Amendments resulting from the enactment of this Act

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Members' Conflict of Interest Act*.

Interpretation

2(1) In this Act:

(a) **"associate"** means, with respect to a member:

(i) a corporation having share capital and carrying on business or activities for profit or gain, where the member is a director or senior officer of the corporation;

(ii) a private corporation carrying on business or activities for profit or gain, where the member owns or is the beneficial owner of shares of the corporation;

(iii) a partnership having not more than 20 persons:

(A) of which the member is a partner; or

(B) of which one of the partners is a corporation directly associated with the member by reason of subclause (i) or (ii);

(iv) a person or group of persons acting as the agent of the member and having actual authority in that capacity from the member;

(b) **"business"** means a corporation, proprietorship, partnership or other association of persons;

(c) **"commissioner"** means the Conflict of Interest Commissioner appointed pursuant to section 18 and includes any acting commissioner appointed pursuant to section 19, 20 or 21;

(d) **"Crown"** means Her Majesty the Queen in right of Saskatchewan and includes departments, secretariats and offices of the Government of Saskatchewan and Crown corporations, including corporations in which the Government of Saskatchewan owns a majority of shares;

(e) **"family"**, with respect to a member, means the member's spouse and dependent children;

(e.1) **"fiscal year"** means the period commencing on April 1 in one year and ending on March 31 in the next year;

(f) **"land"** includes any right, title, estate or interest in land and a profit à prendre with respect to land;

(g) **"member"** means:

(i) a member of the Assembly; or

(ii) a member of the Executive Council;

(h) **"private interest"** does not include an interest in a decision:

(i) that is of general public application;

(ii) that affects a person as one of a broad class of persons; or

(iii) that concerns the remuneration and benefits of a member or an officer or employee of the Assembly;

(i) **"Speaker"** means the member elected as Speaker of the Assembly in accordance with *The Legislative Assembly and Executive Council Act, 2007*;

(j) **"spouse"** means a person who is the member's spouse within the meaning of *The Family Maintenance Act* but does not include a person to whom the member is married if the member and that person are living separate and apart.

(2) For the purposes of this Act, where a person who ceases to be a member of the Assembly by reason of the dissolution of the Assembly again becomes a member as a result of the next following election, that person is deemed to have been a member of the Assembly during the period of time the person ceased to be a member to the time the person again became a member.

1993, c.M-11.11, s.2; 2005, c.L-11.2, s.97; 2007, c.6, s.2; 2015, c.16, s.5.

CONDUCT OF MEMBERS

Conflict of interest

3 For the purposes of this Act, a member has a conflict of interest when the member makes a decision or participates in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.3.

Inside Information

4 A member shall not use information that is gained in the execution of his or her office and is not available to the general public to further or to seek to further the member's private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.4.

Influence

5 A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.5.

Activities on behalf of public

6 This Act does not prohibit the activities in which members normally engage on behalf of members of the public.

1993, c.M-11.11, s.6.

Accepting extra benefits

7(1) Neither a member nor any of the member's family shall accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of the member's duties of office.

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

(3) Where a gift or personal benefit mentioned in subsection (2) is greater than $200 in value, or where the total value received directly or indirectly from one source in any 12-month period is greater than $200, the member shall immediately file with the commissioner a disclosure statement.

(4) The disclosure statement required pursuant to subsection (3) shall:

(a) be in the form prescribed by the regulations; and

(b) indicate the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

1993, c.M-11.11, s.7.

Limitation on contracts or benefits for former member of Executive Council

8(1) In this section and in section 34:

(a) **"associate"**, with respect to a former member, means:

(i) a partner of the former member; or

(ii) a corporation, if the former member is an officer or director of the corporation or a shareholder holding 10% or more of voting shares having the right to elect the board of directors of the corporation;

(b) **"government decision-maker"** means:

(i) the Executive Council;

(ii) a member of the Executive Council; or

(iii) an employee of:

(A) a department, secretariat or office of the Government of Saskatchewan;

(B) a Crown corporation; or

(C) a corporation in which the Government of Saskatchewan owns a majority of shares.

(2) No government decision-maker shall knowingly:

(a) award a contract to, approve a contract with, or grant a benefit to a former member of the Executive Council until 12 months have passed after the date the former member ceased to hold office;

(b) award a contract to, approve a contract with, or grant a benefit to a former member of the Executive Council who has, during the 12 months after the date the former member ceased to hold office, made representations to the government decision-maker with respect to the contract or benefit;

(c) award a contract to, approve a contract with, or grant a benefit to a person on whose behalf a former member of the Executive Council has, during the 12 months after the date the former member ceased to hold office, made representations to the government decision-maker with respect to the contract or benefit; or

(d) award a contract to, approve a contract with, or grant a benefit to an associate of a former member of the Executive Council until 12 months have passed after the date the former member ceased to hold office.

(3) Subsection (2) does not apply to contracts of employment with respect to further duties in the service of the Crown.

(4) Subsection (2) does not apply if the conditions on which a contract or benefit is awarded, approved or granted are the same for all persons similarly entitled.

(5) Subsection (2) does not apply to a contract or benefit if the commissioner has granted an exemption pursuant to subsection 34(5) with respect to that contract or benefit or class of contracts or benefits.

2002, c.52, s.3.

Carrying on business

9(1) If, in the opinion of the commissioner, a conflict with official duties and responsibilities is likely to result or to be seen to result, a member of the Executive Council shall not:

(a) engage in any trade, occupation or employment or in the practice of any profession;

(b) manage or operate a business;

(c) hold an office or directorship in any corporation, organization or association.

(2) A person who becomes a member of the Executive Council shall fully disclose his or her affairs to the commissioner in order to comply with subsection (1) within 90 days following his or her appointment.

(3) Persons who are members of the Executive Council when this section comes into force shall fully disclose their affairs to the commissioner in order to comply with subsection (1) within 90 days of the coming into force of this section.

(4) The commissioner may extend the period mentioned in subsection (2) or (3) by giving the member written notice to that effect, and may impose any terms and conditions on the extension that the commissioner considers just.

(5) The commissioner shall file with the Clerk of the Assembly a copy of any notice given and any terms and conditions imposed pursuant to subsection (4), and the Clerk shall make the copy of the notice and the terms and conditions available for public inspection at the office of the Clerk during normal business hours of the Clerk.

(6) A member of the Executive Council may apply to the commissioner for advice respecting compliance with this section.

(7) On receipt of an application pursuant to subsection (6), the commissioner:

(a) shall advise the member respecting compliance with this section; and

(b) may issue directions to the member respecting compliance with this section.

(8) If a member of the Executive Council complies with subsection (1) by entrusting his or her business to one or more trustees:

(a) the provisions of the trust shall be approved by the commissioner;

(b) the trustees shall be persons who are at arm's length with the member and are approved by the commissioner;

(c) the trustees shall not consult with the member with respect to managing the trust property; and

(d) the trustees shall report all material changes in assets, liabilities and financial interests contained in the trust to the member and the commissioner, in writing, immediately after the changes have occurred.

(9) For the purpose of this section, the management of routine personal financial interests does not constitute managing or operating a business.

1993, c.M-11.11, s.9.

Procednre on conflict of interest

10(1) A member who has reasonable grounds to believe that he or she has a conflict of interest in a matter that is before the Assembly or the Executive Council, or a committee of either of them, shall, if present at a meeting considering the matter:

(a) disclose the general nature of the conflict of interest; and

(b) withdraw from the meeting without voting or participating in consideration of the matter.

(2) A member of the Executive Council or a legislative secretary appointed pursuant to *The Government Organization Act*, who has reason to believe that he or she has a conflict of interest with respect to a matter that requires that member's or that legislative secretary's decision, shall report that possible conflict to the President of the Executive Council.

(3) On receipt of a report pursuant to subsection (2):

(a) the President of the Executive Council shall appoint another member of the Executive Council to perform the member's or the legislative secretary's duties with respect to the matter; and

(b) the other member of the Executive Council appointed pursuant to clause (a) may act in the matter for the period of time necessary for the purpose.

1993, c.M-11.11, s.10.

DISCLOSURE

Disclosnre statement

11(1) Every member shall file with the commissioner a disclosure statement in the form prescribed by the regulations.

(2) The disclosure statement mentioned in subsection (1) shall be filed:

(a) in the case of a member who is in office when this section comes into force, within 90 days of this section coming into force;

(b) in the case of a member who is elected, within 90 days of being elected.

(3) After filing a disclosure statement in accordance with subsection (2), the member shall file a disclosure statement annually, but not later than March 31 in each year.

(4) The disclosure statement mentioned in subsection (1) shall contain:

(a) a statement of the assets, liabilities and financial interests of the member, of the member's family and of any private companies that are controlled by all or any of them;

(b) a statement of the income of the member, of the member's family and of any private companies that are controlled by all or any of them and the sources of that income;

(c) a statement of any directorships or offices held by the member or any of the member's family in the 12 months preceding the date of the statement;

(d) a statement of any business managed or operated by the member or any of the member's family in the 12 months preceding the date of the statement;

(e) a statement of any government contract, as defined in section 15, in which the member or any of the member's family is participating;

(f) any other information that is directed by the commissioner.

(5) After filing a disclosure statement pursuant to this section, the member, and the member's spouse if available, shall consult with the commissioner:

(a) to ensure that adequate disclosure has been made; or

(b) to obtain advice and direction on the member's obligations under this Act.

(6) Notwithstanding subsections (1) to (5), if a member has previously filed a disclosure statement pursuant to subsection (1) and the commissioner is satisfied that there has been no or only minimal material change to the content of the member's disclosure statement, the commissioner may authorize the member to submit a declaration in the prescribed form that:

(a) declares that no material change has occurred since the last disclosure statement was filed pursuant to this section; or

(b) details the material changes since the last disclosure statement was filed pursuant to this section.

1993, c.M-11.11, s.11; 2002, c.52, s.4; 2004, c.65, s.17.

Public disclosure statement

12(1) After consulting with the member and the member's spouse if available, the commissioner shall:

(a) review the disclosure statement filed pursuant to section 11; and

(b) if the commissioner is satisfied that the disclosure statement complies with this Act and the regulations, prepare and file with the Clerk of the Assembly a public disclosure statement.

(2) The commissioner shall file with the Clerk of the Assembly the public disclosure statement as soon as is practicable, but not later than the June 30 following the filing of the member's disclosure statement pursuant to section 11.

(3) The Clerk of the Assembly shall make each public disclosure statement filed pursuant to subsection (2) available for public inspection during the normal business hours of the office of the Clerk of the Assembly.

1993, c.M-11.11, s.12.

Contents of public disclosure statement

13(1) Subject to the regulations, a public disclosure statement required pursuant to section 12 shall include:

(a) the name and the address of the registered office of each corporation in which the member, any of the member's family or a trustee of the member holds any shares, share warrants or share purchase options;

(b) the name and the address of each business from which the member or any of the member's family receives remuneration for services as an employee, officer, director, trustee, partner or owner;

(c) the names and addresses of all sole proprietorships or partnerships in which the member or any of the member's family has an interest;

(d) the name and the address of each corporation, organization or association of which the member or any of the member's family is an officer or director;

(e) the name and the address of each organization or association in which the member holds a membership;

(f) the identity of bonds and debentures with a value greater than $2,000 held by the member or any of the member's family, other than Treasury Bills or bonds issued by the Government of Canada, the government of any province or territory of Canada or any municipal government in Canada;

(g) the identity of investment funds, mutual funds, investment trusts or similar securities of which the member or any of the member's family hold more than $2,000, other than:

(i) registered retirement savings plans, other than self-directed plans;

(ii) registered home ownership savings plans;

(iii) registered education savings plans;

(iv) accounts and term deposits held in banks listed in Schedule I or II to the *Bank Act* (Canada) or in any other financial institutions in Saskatchewan that are lawfully entitled to accept deposits;

(v) pension plans;

(vi) insurance policies;

(h) the municipal address or legal description of any real property, inside or outside Saskatchewan, that the member or any of the member's family has any interest in or title or right to;

(i) the identity of and the extent of the member's or any of the member's family's participation in any government contract as defined in section 15;

(j) the identity and the extent of any gift or benefit received by the member or by any of the member's family and mentioned in a disclosure statement filed pursuant to subsection 7(3);

(k) the identity of any grant or subsidy from the Crown that was received by the member, any of the member's family or any business mentioned in clause (b), other than a grant or subsidy that is paid:

(i) pursuant to a government contract; or

(ii) pursuant to an Act or regulation where the awarding of the grant or subsidy is not subject to the discretion of any individual and the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation; and

(l) any other information that may be directed by the commissioner.

(2) Subject to subsection (3), the value or amount of any items required to be in a public disclosure statement shall not be disclosed.

(3) The commissioner shall include the value or amount of an item required to be in a public disclosure statement if, in the opinion of the commissioner, knowledge of the value or amount is necessary to protect the public interest.

(4) Notwithstanding subsection (1), the commissioner may exclude from a public disclosure statement a source of income received by the member's spouse or child if, in the opinion of the commissioner, the possibility of harm to the business of the member's spouse or child justifies the departure from the general principle of public disclosure.

(5) Notwithstanding subsection (1), the commissioner may exclude from a public disclosure statement the name and address of a corporation, organization or association of which any of a member's family is an officer or director if, in the opinion of the commissioner, the exclusion is a justifiable departure from the general principle of public disclosure.

(6) If the commissioner authorizes a member to submit a declaration pursuant to subsection 11(6):

(a) the commissioner may use the declaration in preparing a public disclosure statement for the member; and

(b) subsections (1) to (5) apply, with any necessary modification, to the declaration and the commissioner's dealings with the declaration.

1993, c.M-11.11, s.13; 2002, c.52, s.5.

Certain information confidential

14(1) Subject to subsections (2) and (3), any information included in a member's disclosure statement filed pursuant to section 11 and not included in the member's public disclosure statement prepared pursuant to section 12 is confidential and shall not be disclosed to any person other than the member to whom the information relates or the commissioner.

(2) Notwithstanding subsection (1), the commissioner may disclose, in an opinion prepared pursuant to this Act, any information that the commissioner considers necessary to disclose in order to establish grounds for the findings and recommendations in the opinion.

(3) Notwithstanding subsection (1), the commissioner may disclose to the Attorney General for Saskatchewan or the Attorney General for Canada information that relates to the commission of an offence against:

(a) an Act or regulation; or

(b) an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada.

1993, c.M-11.11, s.14.

GOVERNMENT CONTRACTS

Prohibition of participation in government contracts

15(1) In this section and in sections 16 and 17, **"government contract"** means a contract entered into with the Crown for any purpose, and includes any contract for:

(a) the supply to or by the Crown of any goods or services;

(b) the sale, lease or other disposition of any real property to or by the Crown;

(c) the construction of any public work for the Crown;

(d) the determination of compensation or damages with respect to real property taken, damaged or purchased by the Crown;

(e) the determination of compensation or damages to be paid by the Crown in cases not provided for in clause (d); or

(f) the lending of moneys to or by the Crown.

(2) Notwithstanding subsection (1), a government contract does not include any contract that gives rise to the status of those persons described in section 14 of *The Legislative Assembly and Executive Council Act, 2007*.

(3) In this section and in sections 16 and 17, a member participates in a government contract where the member:

(a) is, or has a right to become, in the member's personal capacity, a party to or beneficially interested in the contract; or

(b) is a shareholder, partner, director, manager or officer of, or has an interest in, a business that:

(i) is, or has a right to become, a party to or beneficially interested in the contract; or

(ii) has a subsidiary which is, or has a right to become, a party to or beneficially interested in the contract.

(4) For the purpose of this section, a creditor of a business whose indebtedness was incurred other than in the ordinary course of trade has an interest in that business to the extent of that indebtedness.

(5) Except as specifically provided in this or any other Act, no member shall participate in a government contract.

(6) The prohibition in subsection (5) does not apply to:

(a) a government contract that is not subject to the discretion of any individual, where the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation; or

(b) a government contract that is exempted by the regulations from the application of this section.

1993, c.M-11.11, s.15; 2005, c.L-11.2, s.100; 2007, c.6, s.2.

Exemption from prohibition

16(1) A member may apply to the commissioner for approval to participate in a government contract.

(2) The commissioner may approve a member's participation in a government contract, if, in the opinion of the commissioner:

(a) the consideration and terms of the government contract are fair and reasonable; and

(b) it is not contrary to the public interest to allow the member to participate.

(3) The commissioner may impose any terms and conditions that the commissioner considers appropriate on an approval given pursuant to subsection (2).

(4) Notwithstanding section 15, a member may participate in a government contract if:

(a) the commissioner has given his or her approval pursuant to this section; and

(b) the member complies with the terms and conditions, if any, imposed by the commissioner on the approval.

1993, c.M-11.11, s.16.

Exception re government contracts

17(1) A member does not contravene section 11 or 15 if the member:

(a) was not aware of the existence of the government contract; and

(b) cannot be reasonably expected to have been aware of the existence of the government contract.

(2) Within 90 days after becoming aware of the member's participation in a government contract, the member shall comply with sections 11 and 15.

1993, c.M-11.11, s.17.

COMMISSIONER

Commissioner

18(1) The office of Conflict of Interest Commissioner is established.

(2) The commissioner is an Officer of the Legislative Assembly.

(3) The commissioner shall be appointed by order of the Legislative Assembly.

(4) Subject to sections 19 and 20, unless he or she resigns, dies or is removed from office, the commissioner holds office for a term of five years.

(5) The commissioner may be reappointed for one additional term of five years.

(6) The commissioner may resign the office at any time by giving written notice to the Speaker.

1993, c.M-11.11, s.18; 2015, c.16, s.5.

Removal and suspension

19(1) The Legislative Assembly may, by order, remove the commissioner from office, or suspend the commissioner, for cause.

(2) If the commissioner is suspended pursuant to subsection (1), the Legislative Assembly, by order, shall appoint an acting commissioner to hold office until:

(a) the suspension is revoked by the Legislative Assembly; or

(b) the commissioner is removed from office by the Legislative Assembly pursuant to subsection (1) and a person is appointed as commissioner pursuant to section 18.

2015, c.16, s.5.

Suspension when Legislature not in session

20(1) Where the Legislative Assembly is not in session, the Board of Internal Economy may suspend the commissioner for incapacity to act, neglect of duty, or misconduct that is proved to the satisfaction of the Board of Internal Economy.

(2) No suspension imposed pursuant to subsection (1) continues past the end of the next session of the Legislative Assembly.

(3) Where the office of the commissioner is vacant or the commissioner is suspended pursuant to subsection (1), the Board of Internal Economy shall appoint an acting commissioner to hold office until:

(a) a person is appointed as commissioner pursuant to section 18;

(b) the suspension is revoked by the Legislative Assembly; or

(c) the commissioner is removed from office by the Legislative Assembly pursuant to subsection 19(1) and a person is appointed as commissioner pursuant to section 18.

(4) For the purposes of this section, the Legislative Assembly is not in session when it:

(a) is prorogued or dissolved; or

(b) is adjourned for an indefinite period or to a day more than seven days after the date on which the Board of Internal Economy made the order suspending the commissioner.

1993, c.M-11.11, s.20; 2015, c.16, s.5.

Acting commissioner

21 Where the commissioner has resigned or is ill or otherwise unable to act, the Board of Internal Economy may appoint another person as acting commissioner until:

(a) the commissioner is able to act; or

(b) another commissioner is appointed pursuant to this Act.

1993, c.M-11.11, s.21.

Salary

22 The commissioner is entitled to be paid:

(a) a salary to be fixed by the Board of Internal Economy; and

(b) an allowance for travelling and other expenses incurred in the performance of the duties of the commissioner at a rate approved by the Board of Internal Economy.

1993, c.M-11.11, s.22.

Application of certain Acts

23(1) *The Public Service Act, 1998* does not apply to the commissioner.

(2) *The Public Service Superannuation Act* applies to the commissioner.

1993, c.M-11.11, s.23; 1998, c.P-42.1, s.42.

Staff

24(1) Subject to subsection (2), the commissioner may, with the consent of the Speaker, use any employee of the Assembly as staff.

(2) Any officer of the Assembly may consent to act as staff for the commissioner where, in the officer's opinion, to do so will not unduly interfere with the officer's duties to the Assembly.

1993, c.M-11.11, s.24.

Staff

24.1(1) The commissioner may appoint the employees that are required in order to exercise the powers and perform the duties of the commissioner pursuant to this Act, *The Lobbyists Act* or any other Act effectively.

(2) *The Public Service Superannuation Act* and *The Public Employees Pension Plan Act* apply to the members of the staff of the commissioner.

(3) Members of the staff of the commissioner are employees of the Legislative Assembly and are not members of the public service of Saskatchewan.

(4) The employee benefits applicable to the public servants of Saskatchewan apply or continue to apply, as the case may be, to the staff of the commissioner's office.

(5) The commissioner shall:

(a) administer, manage and control the commissioner's office and the general business of the office; and

(b) oversee and direct the staff of the commissioner's office.

2015, c.16, s.5.

Human resources and financial management policies

24.2 The commissioner shall:

(a) prepare and maintain human resources and financial management policies that apply to his or her staff and operations; and

(b) within the period set by the Board of Internal Economy, table with the Board a copy of the policies mentioned in clause (a).

2015, c.16, s.5.

Expenses limited to appropriation

24.3(1) In this section, **"appropriation"** means:

(a) an appropriation for the expenses of the commissioner's office made by an *Appropriation Act*;

(b) an appropriation by special warrant; and

(c) any other amount that is permitted or directed to be paid out of the general revenue fund pursuant to this or any other Act for the expenses of the commissioner's office.

(2) The commissioner shall not incur expenses for a fiscal year in excess of the appropriation for that fiscal year.

2015, c.16, s.5.

Quarterly financial forecasts

24.4 Within 30 days after the end of each quarter in each fiscal year, the commissioner shall prepare and present to the Board of Internal Economy financial forecasts respecting the commissioner's actual and anticipated operations for that fiscal year.

2015, c.16, s.5.

Unprovided for or unforeseen expenses

24.5(1) For the purposes of this section, the Legislative Assembly is not in session if it:

(a) is prorogued; or

(b) is adjourned for an indefinite period or to a day more than seven days after the Lieutenant Governor in Council made the order directing the preparation of the special warrant pursuant to this section.

(2) If the Legislative Assembly is not in session, the commissioner may report to the Board of Internal Economy that:

(a) a matter has arisen with respect to the administration of this Act respecting an expense required by the commissioner's office that was not foreseen or provided for, or was insufficiently provided for; and

(b) the commissioner is of the opinion that there is no appropriation for the expense or that the appropriation is exhausted or insufficient and that the expense is urgently and immediately required for the public good.

(3) On receipt of a report of the commissioner pursuant to subsection (2), the Board of Internal Economy:

(a) shall review the report and make any alterations to the funding request in the report that the Board considers appropriate; and

(b) may recommend to the Minister of Finance that a special warrant be issued authorizing the expense in the amount the Board determines to be appropriate.

(4) On receipt of a recommendation of the Board of Internal Economy pursuant to subsection (3), the Minister of Finance shall recommend to the Lieutenant Governor in Council that a special warrant be issued authorizing the expense in the amount recommended by the Board.

(5) On receipt of a recommendation of the Minister of Finance pursuant to subsection (4), the Lieutenant Governor in Council may order a special warrant to be prepared for the signature of the Lieutenant Governor authorizing the expense in the amount recommended by the Board of Internal Economy.

(6) For the purposes of *The Financial Administration Act, 1993* and this Act, a special warrant issued pursuant to this section is deemed to be a special warrant issued pursuant to section 14 of *The Financial Administration Act, 1993*, and that Act applies to a special warrant issued pursuant to this section as if it were issued pursuant to section 14 of that Act.

2015, c 16, s.5.

Annual report

25(1) In accordance with section 13 of *The Executive Government Administration Act*, the commissioner shall in each year submit to the Speaker an annual report describing the progress and activities of the commissioner in the previous year.

(2) In accordance with section 13 of *The Executive Government Administration Act*, the Speaker shall lay before the Assembly each report received by the Speaker pursuant to subsection (1).

1993, c.M-11.11, s.25; 2014, c.E-13.1, s.62.

Non-compellability

26(1) The commissioner is neither competent nor compellable to:

(a) give evidence in any civil proceeding concerning any information that comes to the knowledge of the commissioner in the exercise of the powers, performance of the duties or carrying out of the functions of the commissioner pursuant to this Act; or

(b) produce any files, papers, information, reports, correspondence or other documents relating to the business or activities of the commissioner.

(2) Subsection (1) applies, with any necessary modification, to the staff of the commissioner.

1993, c.M-11.11, s.26.

Commissioner's opinion and advice

27(1) A member may request that the commissioner give an opinion and recommendation on any matter respecting the obligations of the member under this Act.

(2) The commissioner may make those inquiries that the commissioner considers appropriate to provide the member with a written opinion and recommendations.

(3) The opinion and recommendations of the commissioner are confidential, but may be released by the member or with the written consent of the member.

1993, c.M-11.11, s.27.

Immunity

28 No action lies or shall be instituted against the commissioner, the staff of the commissioner or any person employed or engaged by the commissioner and no action lies or shall be instituted against any member of the public service where the commissioner, the staff, person or member of the public service is acting pursuant to the authority of this Act, the regulations or an order made pursuant to this Act, for any loss or damages suffered by any person for reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in exercise of or in supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

1993, c.M-11.11, s.28.

INQUIRIES

Referral of opinion

29(1) A member who has reasonable and probable grounds to believe that another member is in contravention of this Act may request, by application in writing setting out the grounds for the belief and the nature of the contravention alleged, that the commissioner give an opinion respecting the compliance of the other member with the provisions of this Act.

(2) A member who makes a request for an opinion pursuant to subsection (1) shall promptly provide the member who is the subject of the request with a copy of the application.

(3) The Assembly may request, by resolution, that the commissioner give an opinion on any matter respecting the compliance of a member with the provisions of this Act.

(4) The President of the Executive Council may request that the commissioner give an opinion on any matter including the compliance of a member of the Executive Council with the provisions of this Act.

(5) Where a matter has been referred to the commissioner under subsection (1) or (3), the Assembly or a committee of it shall not conduct an inquiry into the matter until it has received the opinion of the commissioner.

1993, c.M-11.11, s.29; 2002, c.52, s.6.

Inquiry and report

30(1) The commissioner may conduct an inquiry:

(a) on receiving a request under section 29; or

(b) where the commissioner considers it to be advisable respecting the compliance of a member with the provisions of this Act.

(2) The commissioner shall provide the member who is the subject of the inquiry with reasonable notice of an inquiry pursuant to subsection (1).

(3) For the purposes of an inquiry under this section, the commissioner has all the powers conferred on a commission by sections 11, 15 and 25 of *The Public Inquiries Act, 2013* .

(4) Where the request for an opinion is made pursuant to subsection 29(1) or (3), the commissioner shall report his or her opinion to the Speaker and to the member who is the subject of the opinion.

(4.1) If the commissioner has conducted an inquiry pursuant to clause (1)(b), the commissioner shall report his or her opinion to:

(a) the Speaker; and

(b) the member who is the subject of the opinion.

(5) On receipt of an opinion pursuant to subsection (4) or (4.1), the Speaker shall lay the opinion before the Assembly as soon as is practicable.

(6) Where the request for an opinion is made under subsection 29(4), the commissioner shall report his or her opinion to the President of the Executive Council.

(7) In conducting an inquiry pursuant to this section, the commissioner may comment with respect to the conduct of:

(a) former members of the Assembly; and

(b) former or current employees in the public service within the meaning of *The Public Service Act, 1998* or former or current employees of a Crown corporation.

1993, c.M-11.11, s.30; 2002, c.52, s.7; 2013, c.27, s.22.

Penalties

31(1) Where the commissioner conducts an inquiry for the purposes of subsection 30(1) and finds that the member has contravened any provision of this Act, the commissioner may recommend in the report that is laid before the Assembly:

(a) that the member be ordered to comply with the Act on those terms and conditions the Assembly considers appropriate;

(b) that the member be reprimanded;

(c) that the Assembly impose a fine on a member in an amount determined by order of the Assembly;

(d) that the member be suspended; or

(e) that the member's seat be declared vacant.

(2) The Assembly shall consider the commissioner's report and respond to it as subsection (3) provides within 40 sitting days of the day the report is laid before the Assembly.

(3) The Assembly may:

(a) order the imposition of the recommendation of the commissioner under subsection (1);

(b) impose all or any of the measures mentioned in clauses (1)(a) to (e); or

(c) reject the recommendation.

(4) Division 5 of Part II of *The Legislative Assembly and Executive Council Act, 2007* applies to the proceedings under this section.

1993, c.M-11.11, s.31; 2005, c.L-11.2, s.100; 2007, c.6, s.2 and 4.

Opinion on conduct of members

32(1) The Assembly may request, by resolution, that the commissioner give an opinion on any matter that relates to the conduct of a member and that is in addition to the compliance of the member with the provisions of this Act.

(2) The President of the Executive Council may request that the commissioner give an opinion on any matter that relates to the conduct of a member of the Executive Council and that is in addition to the compliance of the member of the Executive Council with the provisions of this Act.

(3) Where a matter has been referred to the commission under subsection (1), the Assembly shall not conduct an inquiry into the matter until it has received the opinion of the commissioner.

1993, c.M-11.11, s.32.

Inquiry and report

33(1) The commissioner may conduct an inquiry on receiving a request under section 32.

(2) The commissioner shall provide the member concerned with reasonable notice of an inquiry pursuant to subsection (1).

(3) For the purposes of an inquiry under this section, the commission has all the powers conferred on a commission by sections 11, 15 and 25 of *The Public Inquiries Act, 2013* .

(4) Where the request for an opinion is made under subsection 32(1), the commissioner shall report his or her opinion to the Speaker.

(5) On receipt of an opinion pursuant to subsection (4), the Speaker shall lay the opinion before the Assembly as soon as is practicable.

(6) Where the request for an opinion is made under subsection 32(2), the commissioner shall report his or her opinion to the President of the Executive Council.

(7) In conducting an inquiry pursuant to this section, the commissioner may comment with respect to the conduct of:

(a) former members of the Assembly; and

(b) former or current employees in the public service within the meaning of *The Public Service Act, 1998* or former or current employees of a Crown corporation.

1993, c.M-11.11, s.33; 2002, c.52, s.8; 2013, c.27, s.22.

Timely disclosnre of reports

33.1(1) If the Speaker is required by this Act to lay a report or document before the Assembly, and the Assembly is not in session when the Speaker receives the report or document, the Speaker shall provide the report or document to the Clerk of the Assembly within 15 days after the day the report or document is received.

(2) When the Clerk of the Assembly receives a report or document pursuant to this section, the clerk shall, as soon as is possible:

(a) subject to subsection (5), cause a copy of the report or document to be delivered to each member of the Assembly; and

(b) make the report or document available for public inspection during normal business hours of the Clerk of the Assembly.

(3) If the Speaker receives a report pursuant to section 25 and submits that report to the Clerk of the Assembly pursuant to this section, the Speaker is deemed to have laid the report or document before the Assembly in accordance with section 13 of *The Executive Government Administration Act*.

(4) For the purposes of this section, the Assembly is not in session if it:

(a) is prorogued; or

(b) is adjourned for an indefinite period or to a day more than 15 days after the day the Speaker receives the report or document.

(5) The requirement in clause (2)(a) to deliver a copy of a report or document to the members of the Assembly does not apply in the period that:

(a) commences on the day an Assembly is dissolved; and

(b) ends on the first sitting day of the first session of the Assembly held after the general election held pursuant to *The Election Act, 1996* that follows the dissolution mentioned in clause (a).

2002, c.52, s.9; 2014, c.E-13.1, s.62.

Offence respecting former members of Executive Council

34(1) No former member of the Executive Council shall knowingly, during the 12 months after the date he or she ceased to hold office:

(a) accept a contract or benefit that is awarded, approved or granted by a government decision-maker;

(b) make representations to a government decision-maker on his or her behalf or on behalf of another person with respect to a contract or benefit;

(c) accept a contract or benefit from any person to make representations to a government decision-maker with respect to a contract or benefit that is or is to be awarded, approved or granted by a government decision-maker; or

(d) be an associate of a person who has received a contract or benefit that is awarded, approved or granted by a government decision-maker.

(2) Subsection (1) does not apply to contracts of employment with respect to further duties in the service of the Crown.

(3) Subsection (1) does not apply if the conditions on which the contract or benefit is awarded, approved, or granted are the same for all persons similarly entitled.

(4) A former member of the Executive Council may apply to the commissioner for an exemption from the application of subsection (1) with respect to a contract or benefit or a class of contracts or benefits.

(5) On the application of a former member of the Executive Council pursuant to subsection (4), the commissioner may exempt the contract or benefit or class of contracts or benefits from the application of subsection (1) if, in the opinion of the commissioner:

(a) the consideration and terms of the contract or benefit are fair and reasonable; and

(b) it is not contrary to the public interest to exempt the contract or benefit or class of contracts or benefits from the application of subsection (1).

(6) The commissioner may impose any terms and conditions that the commissioner considers appropriate on an exemption granted pursuant to subsection (5).

(7) The commissioner shall, as soon as is practicable, report to the Speaker in writing respecting any exemption granted pursuant to subsection (5).

(8) The commissioner shall include in the annual report to the Speaker required pursuant to section 25 a summary of all exemptions granted in that year or that remain in force during that year.

(9) A former member of the Executive Council who contravenes subsection (1) is guilty of an offence and liable, on summary conviction, to a fine of not more than $50,000.

(10) No prosecution for an offence pursuant to this section is to be commenced after:

(a) in the case of an alleged offence respecting a contract or a benefit awarded, approved or granted, two years from the date that:

(i) the contract has been discharged or terminated; or

(ii) the benefit has been terminated; or

(b) in any other case, two years from the date of commission of the alleged offence.

2002, c 52, s.10.

Regulations

35 The commissioner may make regulations:

(a) prescribing forms for the purposes of this Act;

(b) exempting categories of information from being provided in a public disclosure statement required by section 12;

(c) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations.

1993, c M-11.11, s.35; 2002, c 52, s.11.

36 to 38 Dispensed. These sections make consequential amendments to other Acts. The amendments have been incorporated into the corresponding Acts.

Coming into force

39 This Act or any provision of this Act comes into force on a day or days to be fixed by proclamation of the Lieutenant Governor.

1993, c M-11.11, s.39.

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APPENDIX

2014

CHAPTER L-27.01

An Act respecting Lobbying

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(Assented to May 14, 2014)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART I
Preliminary Matters

Short title

1 This Act may be cited as *The Lobbyists Act*.

Interpretation

2(1) In this Act:

(a) **"client"** means an individual or organization on whose behalf a consultant lobbyist undertakes to lobby;

(b) **"consultant lobbyist"** means an individual who, for payment, undertakes to lobby on behalf of a client;

(c) **"Crown"** means the Crown in right of Saskatchewan;

(d) **"designated filer"** means:

(i) a consultant lobbyist; or

(ii) in the case of an organization that has an in-house lobbyist:

(A) the most senior officer of the organization who receives payment for performing his or her functions; or

(B) if there is no senior officer, the most senior in-house lobbyist of the organization;

(e) **"former public office holder"** means:

(i) a former member of the Executive Council and any individual formerly employed on the former member's staff, other than an individual employed in the former member's constituency office or as administrative support staff;

(ii) a former member of the Legislative Assembly;

(iii) any individual who:

(A) was formerly a permanent head, as defined in *The Public Service Act, 1998*; or

(B) formerly occupied the position of associate deputy minister, assistant deputy minister or a position of comparable rank in a ministry; or

(iv) any individual or category of individuals who formerly occupied a prescribed position in a government institution;

(f) **"government institution"** means a government institution as defined in *The Freedom of Information and Protection of Privacy Act*;

(g) **"grassroots communication"** means appeals to members of the public through the mass media or by direct communication that seek to persuade members of the public to communicate directly with a public office holder in an attempt to place pressure on the public office holder to endorse a particular opinion;

(h) **"in-house lobbyist"** means an employee, an officer or a director of an organization:

(i) who is paid for performing his or her functions; and

(ii) whose lobbying activity or duty to lobby on behalf of the organization or an affiliate of the organization, either alone or together with other individuals in the organization or the affiliate:

(A) is performed or is required to be performed for at least 100 hours annually, as the case may be, as calculated in the prescribed manner; or

(B) otherwise meets the prescribed criteria;

(i) **"lobby"** means, subject to subsection 4(2):

(i) in relation to either a consultant lobbyist or an in-house lobbyist, to communicate with a public office holder in an attempt to influence:

(A) the development of any legislative proposal by the Government of Saskatchewan, a government institution or a member of the Legislative Assembly;

(B) the introduction of any Bill or resolution in the Legislative Assembly or the amendment, passage or defeat of any Bill or resolution that is before the Legislative Assembly;

(C) the development or the enactment of any regulation within the meaning of *The Regulations Act, 1995* or any order in council;

(D) the development, establishment, amendment or termination of any program, policy, directive or guideline of the Government of Saskatchewan or a government institution;

(E) the awarding, amendment or termination of any grant, contract or financial benefit by or on behalf of the Government of Saskatchewan or a government institution;

(F) a decision by the Executive Council or a minister of the Crown to transfer from the Crown for consideration all or part of, or any interest in or asset of, any business, enterprise or institution that provides goods or services to the Crown or a government institution or to the public; or

(G) a decision by the Executive Council or a minister of the Crown to have the private sector instead of the Crown provide goods or services to the Government of Saskatchewan;

(ii) in relation to a consultant lobbyist, to arrange a meeting between a public office holder and any other individual; and

(iii) in relation to an in-house lobbyist, to arrange a meeting between a public office holder and any other individual for the purposes of attempting to influence any of the matters mentioned in subclause (i);

(j) **"local authority"** means a local authority as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*;

(k) **"minister"** means the member of Executive Council to whom for the time being the administration of this Act is assigned;

(l) **"ministry"** means a department, ministry, secretariat, office or other similar agency of the executive government of Saskatchewan;

(m) **"organization"** includes any of the following, whether incorporated, unincorporated, a partnership or a sole proprietorship:

(i) a person other than a person on whose behalf a consultant lobbyist undertakes to lobby;

(ii) an organization or institution engaged in a business, trade, industry, enterprise or a professional or voluntary activity;

(iii) a union or labour organization;

(iv) a chamber of commerce or board of trade;

(v) a non-profit organization, association, society, coalition or interest group;

(vi) a government other than the Government of Saskatchewan;

(n) **"payment"** means, except in section 11 but subject to section 10, money or anything of value and includes a contract, promise or agreement to pay money or anything of value, but does not include a reimbursement of expenses;

(o) **"prescribed"** means prescribed in the regulations;

(p) **"public office holder"** means:

(i) a member of Executive Council and any individual on that member's staff;

(ii) a member of the Legislative Assembly and any individual on that member's staff;

(iii) an employee of a ministry;

(iv) any person appointed by the Lieutenant Governor in Council or by a member of the Executive Council;

(v) a public officer as defined in *The Interpretation Act, 1995*; and

(vi) an employee, officer, director or member, as the case may be, of a government institution;

(q) **"registrar"** means the conflict of interest commissioner appointed pursuant to *The Members' Conflict of Interest Act* and includes:

(i) any acting conflict of interest commissioner appointed pursuant to that Act; and

(ii) any individual to whom the registrar has delegated any of the registrar's powers pursuant to section 13;

(r) **"registry"** means the registry required pursuant to section 14;

(s) **"undertaking"** means, with respect to a consultant lobbyist, an undertaking to lobby on behalf of a client.

(2) For the purposes of this Act, the following are not considered to be consultant lobbyists or in-house lobbyists when acting in their official capacity:

(a) members of the Legislative Assembly and members of the Executive Council and any individuals on the staff of any of those members;

(b) officers and employees of the Legislative Assembly Service as defined in *The Legislative Assembly and Executive Council Act, 2007*;

(c) members of the public service appointed pursuant to *The Public Service Act, 1998*;

(d) employees, officers, directors and members of a government institution;

(e) any other prescribed individuals or category of individuals.

(3) For the purposes of this Act, a consultant lobbyist engaged by a government institution or local authority is considered to be a consultant lobbyist.

(4) For the purposes of this Act, a corporation is a subsidiary of another corporation if:

(a) securities of the corporation to which are attached more than 50% of the votes that may be cast to elect directors of the corporation are held, otherwise than by way of security only, directly or indirectly, whether through one or more subsidiaries or otherwise, by or for the benefit of the other corporation; and

(b) the votes attached to those securities are sufficient, if exercised, to elect a majority of the directors of the corporation.

(5) For the purposes of this Act, persons are associated or affiliated with each other if they are associated or affiliated within the meaning of *The Business Corporations Act*.

Crown bouud

3 The Crown is bound by this Act.

Applicatiou of Act

4(1) This Act does not apply to any of the following when acting in their official capacity:

(a) members of the Senate or House of Commons of Canada, the legislative assembly of another province, the council or legislative assembly of a territory, or individuals on the staff of any of those members;

(b) employees of the Government of Canada or of the government of another province or of a territory;

(c) officers, directors or employees of a local authority;

(d) officers, directors or employees of the Saskatchewan Urban Municipalities Association, the Saskatchewan Association of Rural Municipalities or the Saskatchewan School Boards Association;

(e) officers or employees of the Métis Nation - Saskatchewan Secretariat Inc.;

(f) officers or employees of the Federation of Saskatchewan Indian Nations;

(g) members of the council of an Indian band as defined in the *Indian Act* (Canada), individuals on the staff of any of those members or employees of any of those councils;

(h) diplomatic agents, consular officers or official representatives in Canada of a foreign government;

(i) officers, directors or employees of an entity mentioned in subclause 2(1)(m)(v) that:

(i) is not constituted to serve management, union or professional interests; and

(ii) does not have a majority of members that are profit-seeking enterprises or representatives of profit-seeking enterprises;

(j) officials of a specialized agency of the United Nations in Canada or officials of any other international organization to whom privileges and immunities are granted by or pursuant to an Act of the Parliament of Canada;

(k) a person acting as a volunteer who does not receive a payment;

(l) any other prescribed individuals or categories of individuals.

(2) This Act does not apply with respect to a submission made in any manner as follows:

(a) in proceedings that are a matter of public record to a committee of the Legislative Assembly or to any body or person having jurisdiction or powers conferred by or pursuant to an Act;

(b) to a public office holder by an individual on behalf of a person or organization concerning:

(i) the enforcement, interpretation or application of any Act or regulation by the public office holder with respect to the person or organization; or

(ii) the implementation or administration of any program, policy, directive or guideline by the public office holder with respect to the person or organization;

(c) to a public office holder by an individual on behalf of a person or organization in response to a request initiated by a public office holder for advice or comment on any matter mentioned in subclause 2(1)(i)(i);

(d) to a member of the Legislative Assembly in his or her capacity as a member of the Legislative Assembly by a constituent of the member, unless the submission concerns the introduction, passage or amendment in the Legislative Assembly of a private Bill for the special benefit of that constituent.

PART II
Regulation of Lobbyists' Activities

Interpretation of Part

5 In this Part, **"six-month period"** means:

(a) with respect to a return filed by a consultant lobbyist:

(i) in the case of the first return following the filing of a return pursuant to clause 6(1)(a), the period that:

(A) commences on the date on which the return pursuant to clause 6(1)(a) was filed; and

(B) ends six months after the date mentioned in paragraph (A); or

(ii) in the case of a return other than one mentioned in subclause (i), the period that:

(A) commences on the first day following the end of the previous six-month period; and

(B) ends six months after the date mentioned in paragraph (A);

(b) with respect to a return filed by a designated filer that has an in-house lobbyist:

(i) in the case of the first return following the filing of a return pursuant to clause 7(1)(a), the period that:

(A) commences on the date on which the return pursuant to clause 7(1)(a) was filed; and

(B) ends six months after the date mentioned in paragraph (A); or

(ii) in the case of a return other than one mentioned in subclause (i), the period that:

(A) commences on the first day following the end of the previous six-month period; and

(B) ends six months after the date mentioned in paragraph (A).

Returns by consultant lobbyist

6(1) A consultant lobbyist shall file with the registrar a return in the prescribed form and containing the information required in section 8:

(a) with respect to an undertaking, within 10 days after entering into the undertaking; and

(b) within 30 days after the end of each six-month period.

(2) A consultant lobbyist is required to file only one return pursuant to subsection (1) even though he or she may, in connection with that undertaking:

(a) communicate with one or more public office holders on one or more occasions; or

(b) arrange one or more meetings between a public office holder and any other individual.

(3) If, on the coming into force of this section, a consultant lobbyist is performing an undertaking, the consultant lobbyist shall file a return with the registrar in accordance with subsection (1) not later than 30 days after the day on which this section comes into force and after that in accordance with clause (1)(b).

Returns by in-house lobbyist

7(1) The designated filer of an organization that has an in-house lobbyist shall file with the registrar a return in the prescribed form and containing the information required in section 8:

(a) within 60 days after the day on which an individual in that organization becomes an in-house lobbyist; and

(b) within 30 days after the end of each six-month period.

(2) A designated filer is required to file only one return pursuant to subsection (1) even though an in-house lobbyist named in the return may communicate with one or more public office holders on one or more occasions.

(3) If, on the coming into force of this section, an organization has an in-house lobbyist, the designated filer of the organization shall file a return with the registrar in accordance with subsection (1) not later than 30 days after the day on which this section comes into force and after that in accordance with clause (1)(b).

Form and content of returns

8(1) Each return filed pursuant to section 6 or 7 must include the following information, as applicable:

(a) the name and business address of the designated filer, and whether he or she is a consultant lobbyist or the designated filer for an in-house lobbyist;

(b) if the return is filed by a consultant lobbyist:

(i) the name and business address of the firm, if any, where the consultant lobbyist is engaged in business;

(ii) the date on which the undertaking with the client was entered into and is scheduled to terminate; and

(iii) the name of each individual engaged by the consultant lobbyist to lobby on behalf of the client;

(c) if the return is filed with respect to an in-house lobbyist, the name of each in-house lobbyist for the organization;

(d) the name and business address of the client or organization and of any individual who or organization that, to the designated filer's knowledge after reasonable inquiry:

(i) controls or directs the client's or organization's activities and has a direct interest in the outcome of the lobbying activities on behalf of the client or organization; or

(ii) during the individual's or organization's financial year that preceded the filing of the return, contributed $1,000 or more towards lobbying activities on behalf of the client;

(e) a summary of the business or activities of the client or organization;

(f) if the client or organization is a corporation, the name and business address of each affiliate of the corporation that, to the designated filer's knowledge after reasonable inquiry, has a direct interest in the outcome of the activities of each lobbyist named in the return who lobbies on behalf of the client or organization;

(g) without limiting clause (f), if the client or organization is a corporation that is a subsidiary of another corporation, the name and business address of the other corporation;

(h) if the client or organization is a member of a coalition, the name and business address of each member of the coalition;

(i) the name of any government or government institution that funds or partly funds the client or organization and the amount of the funding;

(j) particulars to identify the subject-matter concerning which a lobbyist named in the return has lobbied or expects to lobby during the six-month period covered by the return;

(k) particulars to identify any relevant legislative proposal, Bill, resolution, regulation, order in council, program, policy, directive, guideline, decision, grant, financial benefit or contract that is or will be the subject of the lobbying;

(l) if a lobbyist named in the return has lobbied or expects to lobby, during the six-month period covered by the return, a public office holder employed by or serving in a ministry or a government institution, the name of the ministry or government institution;

(m) if a lobbyist named in the return has lobbied or expects to lobby, during the six-month period covered by the return, a member of the Legislative Assembly or an individual on the staff of a member of the Legislative Assembly concerning a matter that involves the member's capacity as a member, the name of that member;

(n) if a lobbyist named in the return has lobbied or expects to lobby, during the six-month period covered by the return, a minister of the Crown or an individual on the staff of a minister of the Crown concerning a matter that involves the minister's capacity as a minister of the Crown, the name of that minister;

(o) a declaration that no lobbyist named in the return is in contravention of section 9 or 10;

(p) if any lobbyist named in the return is a former public office holder, the nature of the office formerly held by the lobbyist and the term of office;

(q) the techniques of communication, including grassroots communication, that a lobbyist named in the return has used or expects to use to lobby;

(r) a statement:

(i) stating whether any lobbyist named in the return holds a contract for providing paid advice to a ministry or another government institution, and if so, the name of the ministry or government institution; and

(ii) stating whether, to the designated filer's knowledge after reasonable inquiry, any person associated with a lobbyist named in the return holds a contract for providing paid advice to a ministry or a government institution, and if so, the name of the ministry or government institution;

(s) any additional prescribed information.

(2) A designated filer who files a return shall supply the registrar with the following information within the applicable period:

(a) particulars of any change to the information in the return, within 30 days after the change occurs;

(b) any information required to be supplied pursuant to subsection (1) the knowledge of which the individual acquired only after the return was filed, within 30 days after the knowledge is acquired;

(c) any information requested by the registrar to clarify any information supplied by the individual pursuant to this section, within 30 days after the request is made.

(3) Within 30 days after the completion or termination of an undertaking for which a return was filed, the consultant lobbyist who filed the return shall:

(a) inform the registrar of the completion or termination of the undertaking; and

(b) indicate the date on which the completion or termination occurred.

(4) Within 30 days after an individual named in a return as an in-house lobbyist ceases to be an in-house lobbyist for the organization named in the return, the designated filer shall:

(a) inform the registrar of the event; and

(b) indicate the date on which the event occurred.

(5) Any information required pursuant to subsections (3) and (4) must be supplied to the registrar in the prescribed form and manner.

Prohibitions on former public office holders lobbying

9(1) No former public office holder who is a former minister of the Crown shall lobby a ministry or government institution for a period of one year after the date on which he or she ceases to be a minister of the Crown.

(2) No former public office holder who is a former member of the Legislative Assembly shall lobby a ministry or government institution for a period of six months after the date on which he or she ceases to be a member of the Legislative Assembly.

(3) Subject to subsection (4), no former public office holder who was formerly employed in the office of a minister of the Crown or the office of a former minister of the Crown shall lobby the ministry or government institution for which the minister or former minister is or was responsible for a period of six months after the date on which he or she ceases to be employed in the office.

(4) No former public office holder who was formerly employed in the premier's office or in a former premier's office shall lobby a ministry or government institution for a period of six months after the date on which he or she ceases to be employed in the office.

(5) Subject to subsection (6), no former public office holder who was formerly a permanent head, as defined in *The Public Service Act, 1998*, or who formerly occupied the position of associate deputy minister, assistant deputy minister or a position of comparable rank in a ministry shall lobby the ministry for a period of six months after the date on which he or she ceased to be a permanent head or to occupy the position of associate deputy minister, assistant deputy minister or a position of comparable rank in the ministry.

(6) No former public office holder who, in the Office of the Executive Council, was formerly a permanent head, as defined in *The Public Service Act, 1998*, or who formerly occupied the position of associate deputy minister, assistant deputy minister or a position of comparable rank in that Office shall lobby a ministry or government institution for a period of six months after the date on which he or she ceased to be a permanent head or to occupy the position of associate deputy minister, assistant deputy minister or a position of comparable rank in the Office of the Executive Council.

(7) No former public office holder or member of a category of former public office holders who formerly occupied a prescribed position in a government institution shall lobby the government institution for a period of six months after the date on which he or she ceased to occupy that prescribed position.

(8) The registrar may exempt a person from the application of this section if the registrar is of the opinion that it would not be contrary to the public interest to do so.

(9) The registrar may impose terms and conditions on any exemption given pursuant to subsection (8).

(10) The registrar shall:

(a) provide reasons for giving an exemption; and

(b) ensure that information relating to the exemption, including any terms and conditions imposed, and the reasons for giving the exemption are entered into the registry.

Prohibitions respecting contracting

10(1) In this section, **"contract for providing paid advice"** means an agreement or other arrangement under which a person directly or indirectly receives or is to receive payment for providing advice to the Government of Saskatchewan or a government institution.

(2) For the purposes of this section, payment does not include reasonable remuneration received for serving on a board, commission, council or other similar body established by or under the authority of an Act on which there are at least two other members who represent other organizations or interests.

(3) No person shall lobby on a subject-matter if that person, or another person associated with that person, holds a contract for providing paid advice on the same subject-matter.

(4) No person shall enter into a contract for providing paid advice on a subject-matter if that person, or another person associated with that person, lobbies on the same subject-matter.

(5) Without restricting the generality of subsections (3) and (4), an officer, director or employee of an organization shall comply with subsections (3) and (4) regardless of:

(a) the number of hours he or she or other persons in the organization lobby or are required to lobby as part of their duties each year; and

(b) whether or not he or she is otherwise an in-house lobbyist as defined in clause 2(1)(h).

(6) The registrar may exempt a person from the application of subsection (3) or (4) if the registrar is of the opinion that it would be consistent with the purposes of this Act to do so.

(7) The registrar may impose terms and conditions on any exemption given pursuant to subsection (6).

(8) The registrar shall:

(a) provide reasons for giving an exemption; and

(b) ensure that information relating to the exemption, including any terms and conditions imposed, and the reasons for giving the exemption are entered into the registry.

(9) If on the coming into force of this section a person, or another person associated with that person, holds a contract for providing paid advice on a subject-matter and either the person or the associated person lobbies on the same subject-matter:

(a) the person holding the contract shall cease to hold the contract within 60 days after the coming into force of this section; or

(b) the person lobbying shall cease to lobby on that subject-matter, within 60 days after the coming into force of this section.

Payment information

11(1) In accordance with the regulations, the Minister of Finance shall publish information relating to payments made by ministries to lobbyists.

(2) In accordance with the regulations, a government institution other than a ministry shall publish information relating to payments made by the government institution to lobbyists.

Submission of documents in electronic or other form

12(1) Subject to the regulations, any return or other document that is required to be filed with or submitted to the registrar pursuant to this Act may be filed or submitted in electronic or other form by the means and in the manner specified by the registrar.

(2) For the purposes of this Act, any return that is filed or other document that is submitted in accordance with subsection (1) is deemed to be received by the registrar at the time provided for in the regulations.

PART III
Registrar and Registry

Delegation of registrar's powers

13(1) The registrar may, in writing, delegate to any individual any of the registrar's powers pursuant to this Act other than:

(a) the power of delegation pursuant to this section; and

(b) the power or duty to make a report.

(2) A delegation pursuant to this section may be made either generally or in relation to a particular case or class of cases.

(3) The registrar may revoke a delegation at any time.

(4) No delegation prevents the exercise of any power by the registrar.

(5) The registrar may impose any restrictions or conditions that the registrar considers appropriate on a delegation.

(6) A delegation continues in effect until it is revoked.

(7) If the registrar who made a delegation ceases to hold office, the delegation continues in effect as if it were made by that registrar's successor.

Registry

14(1) Subject to the regulations, the registrar shall establish and maintain a registry.

(2) The registry must include a record of all returns filed and other information submitted to the registrar and any information that is required to be entered in the registry pursuant to this Act.

(3) The registrar may:

(a) verify the information contained in any return filed or other document submitted pursuant to this Act;

(b) subject to subsection (4), refuse to accept a return or other document if:

(i) the return or other document does not comply with the requirements of this Act;

(ii) the return or other document contains information not required to be provided or disclosed pursuant to this Act; or

(iii) the designated filer who submitted the return or document has not complied with this Act; and

(c) remove a return from the registry if the designated filer who filed the return does not comply with this Act.

(4) On refusing to accept a return or other document pursuant to clause (3)(b), the registrar shall:

(a) inform the designated filer who filed or submitted it of the refusal and the reason for the refusal; and

(b) allow a reasonable extension of the time set pursuant to this Act for filing the return or submitting the document if the registrar is satisfied that the designated filer cannot reasonably be expected to file another return or submit another document within the set time.

(5) A return that is filed or a document that is submitted within the time allowed pursuant to clause (4)(b) and accepted by the registrar in place of one refused pursuant to clause (3)(b) is deemed to have been filed or submitted, as the case may be, on the date the registrar received the return or document that was refused.

(6) If a return is removed from the registry pursuant to clause (3)(c):

(a) the registrar shall inform the designated filer who filed the return of its removal and the reason for the removal; and

(b) the designated filer mentioned in clause (a) is deemed, for the purposes of his or her existing and future obligations pursuant to this Act, not to have filed the return.

Public access to registry

15 The registrar shall permit the public to inspect the registry during normal office hours of the registrar.

Storage of documents and use of documeuts as evideuce

16(1) Subject to the regulations, the information contained in any return or other document that is received by the registrar pursuant to this Act may be entered in or recorded by any information storage device, including any system of mechanical or electronic data processing, that is capable of reproducing the stored return or other document in intelligible form within a reasonable time.

(2) In any prosecution for a contravention of this Act, a copy of a return or other document that is reproduced as permitted by subsection (1) and certified under the registrar's signature as a true copy:

(a) is admissible in evidence without proof of the office or signature of the person purporting to have signed the certificate; and

(b) has the same probative force as the original return or document.

Directions

17(1) The registrar may provide directions to lobbyists individually or generally with respect to the enforcement, interpretation or application of this Act.

(2) The registrar may make those inquiries that the registrar considers appropriate to provide lobbyists with a direction.

(3) On the request of a lobbyist, the registrar may provide a confidential direction to the lobbyist if the registrar is satisfied that to do so will promote compliance with this Act.

Investigations

18(1) The registrar may conduct an investigation if the registrar has reason to believe that an investigation is necessary to ensure compliance with this Act.

(2) For the purpose of conducting an investigation pursuant to subsection (1), the registrar has all the powers conferred on a commissioner pursuant to sections 11, 15 and 25 of *The Public Inquiries Act, 2013*.

Report

19(1) After an investigation has been conducted by the registrar, the registrar shall prepare a report of the investigation, including findings and conclusions and reasons for the findings and conclusions.

(2) The registrar shall submit the report mentioned in subsection (1) to the Speaker of the Legislative Assembly.

(3) In accordance with *The Tabling of Documents Act, 1991*, the Speaker shall lay each report received by him or her before the Legislative Assembly.

(4) Notwithstanding any other Act or law, a report pursuant to this section may contain details of any payment received, disbursement made or expense incurred by an individual who is named in a return required to be filed pursuant to section 6, 7 or 8 with respect to any communication or meeting mentioned in clause 2(1)(i) if the registrar considers publication of the details to be in the public interest.

Administrative penalty

20(1) Subject to the regulations, if the registrar is of the opinion that a person has contravened clause 25(1)(a), (b), (c) or (d), the registrar may assess an administrative penalty.

(2) The maximum amount of an administrative penalty that may be imposed pursuant to subsection (1) is $25,000.

(3) Before assessing an administrative penalty, the registrar shall provide notice to the person:

(a) setting out the facts and circumstances that, in the registrar's opinion, render the person liable to an administrative penalty;

(b) specifying the amount of the administrative penalty that the registrar considers appropriate in the circumstances; and

(c) informing the person of the person's right to make representations to the registrar.

(4) No administrative penalty is to be assessed by the registrar more than two years after the act or omission that renders the person liable to an administrative penalty first came to the knowledge of the registrar.

(5) A person to whom notice is sent pursuant to subsection (3) may make representations to the registrar respecting whether or not an administrative penalty should be assessed and the amount of any penalty.

(6) Representations pursuant to subsection (5) must be made within 30 days after the person received the notice pursuant to subsection (3).

(7) After considering any representations, the registrar may:

(a) assess an administrative penalty and set a date by which the administrative penalty is to be paid in full; or

(b) determine that no penalty should be assessed.

(8) The registrar shall serve a copy of his or her decision pursuant to subsection (7) on the person who made the representations.

(9) The registrar may assess an administrative penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the administrative penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the administrative penalty.

Certificate re administrative penalty

21(1) The registrar may file in the Court of Queen's Bench a certificate signed by the registrar and setting out:

(a) the amount of the administrative penalty assessed pursuant to subsection 20(7); and

(b) the person from whom the administrative penalty is to be recovered.

(2) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the Court of Queen's Bench for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.

Confidentiality

22(1) Except where otherwise provided by this Act for the purposes of the registry, the registrar shall not disclose any information that comes to the knowledge of the registrar in the exercise of the powers, performance of the duties or carrying out of the functions of the registrar pursuant to this Act.

(2) Subsection (1) applies, with any necessary modification, to the staff of the registrar or any person to whom the registrar has delegated any powers pursuant to section 13.

(3) Notwithstanding subsection (1), the registrar may:

(a) disclose any information that comes to the knowledge of the registrar in the performance of the registrar's duties and functions pursuant to this Act if:

(i) the disclosure of the information, in the opinion of the registrar, is necessary for the purposes of conducting an investigation pursuant to this Act;

(ii) the information is disclosed in a report pursuant to section 19 or in the course of a proceeding for perjury with respect to a statement made to the registrar; or

(iii) the disclosure is, in the opinion of the registrar, necessary for the purpose of enforcing administrative penalties; and

(b) disclose information as permitted pursuant to subsection (4).

(4) If in the opinion of the registrar there is evidence of the commission of an offence, the registrar may disclose to the Attorney General for Saskatchewan or the Attorney General of Canada information that relates to the commission of an offence against:

(a) an Act; or

(b) an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada.

Immunity

23 No action lies or shall be instituted against the registrar, the staff of the registrar, a delegate of the registrar or any person employed or engaged by the registrar and no action lies or shall be instituted against any member of the public service if the registrar, the staff, person or member of the public service is acting pursuant to the authority of this Act, the regulations or an order made pursuant to this Act, for any loss or damages suffered by any person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in exercise of or in supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

Non-compellability

24(1) The registrar is neither competent nor compellable to:

(a) give evidence in any civil proceeding concerning any information that comes to the knowledge of the registrar in the exercise of the powers, performance of the duties or carrying out of the functions of the registrar pursuant to this Act; or

(b) produce any files, papers, information, reports, correspondence or other documents relating to the business or activities of the registrar.

(2) Subsection (1) applies, with any necessary modification, to the staff or a delegate of the registrar.

PART IV
General

Offences and penalties

25(1) No person shall:

(a) lobby without having filed a return as required by this Act;

(b) make a false statement or provide false information to the registrar or any person acting on behalf of the registrar;

(c) omit to state a fact that is required to be stated or that is necessary to make a statement not misleading in light of the circumstances in which it was made to the registrar or any person acting on behalf of the registrar;

(d) fail to comply with an order of the registrar made pursuant to this Act; or

(e) fail to comply with any provision of this Act or the regulations.

(2) A person does not contravene clause (1)(b) or (c) if, at the time the information was provided, the person did not know that it was false or misleading and, with the exercise of reasonable diligence, could not have known that it was false or misleading.

(3) Every person who contravenes a provision of this Act or the regulations is guilty of an offence and liable on summary conviction to:

(a) for the first offence, a fine of not more than $25,000; and

(b) for a second or subsequent offence, a fine of not more than $100,000.

(4) Subject to subsections (5) to (7), if a person is convicted of an offence against this Act and the registrar is satisfied that it is necessary in the public interest taking into account the gravity of the offence and the number of previous convictions or administrative penalties imposed on the person who committed the offence, the registrar may make an order doing either or both of the following:

(a) prohibiting the person who committed the offence from lobbying for a period of not more than two years;

(b) prohibiting the person who committed the offence from filing or having a return filed with respect to the person.

(5) Before imposing any prohibition pursuant to subsection (4), the registrar shall:

(a) provide the person with written notice of the registrar's proposed action; and

(b) give the person an opportunity to make written representations within 30 days after the date on which the person received the written notice pursuant to clause (a).

(6) After considering any representations, the registrar may:

(a) impose the prohibition; or

(b) determine not to impose the prohibition.

(7) The registrar shall serve a copy of his or her decision pursuant to subsection (6) on the person who made the representations.

(8) If a person is convicted of an offence against this Act, the registrar may make public:

(a) the nature of the offence;

(b) the name of the person who committed the offence;

(c) the punishment imposed; and

(d) if applicable, the nature of any prohibition ordered pursuant to subsection (4).

(9) If the registrar imposes a prohibition pursuant to subsection (4), the registrar shall ensure that information relating to the prohibition is entered into the registry.

Limitation of prosecutions

26 No prosecution for a contravention of this Act or the regulations is to be commenced more than two years from the date on which the offence is alleged to have been committed.

Appeal to Court of Queen's Bench

27(1) Any person aggrieved by a decision of the registrar pursuant to this Act may appeal that decision on a question of law to the Court of Queen's Bench within 30 days after the date of service of the registrar's decision.

(2) The record of an appeal pursuant to subsection (1) consists of:

(a) the registrar's decision;

(b) any written representations made to the registrar by the person named in the decision;

(c) the originating application commencing the appeal;

(d) any other prescribed documents or material; and

(e) any other material that the Court of Queen's Bench may require.

(3) On hearing an appeal pursuant to this section, the Court of Queen's Bench may issue an order:

(a) confirming the decision;

(b) amending the decision; or

(c) quashing the registrar's decision.

Regulations

28 The Lieutenant Governor in Council may make regulations:

(a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;

(b) for the purposes of subclause 2(1)(e)(iv), prescribing positions in a government institution;

(c) for the purposes of paragraph 2(1)(h)(ii)(A), prescribing the manner in which hours are to be calculated;

(d) for the purposes of paragraph 2(1)(h)(ii)(B), prescribing criteria that, if met, will result in an individual becoming an in-house lobbyist;

(e) for the purposes of clause 2(2)(e), prescribing individuals or categories of individuals who are not to be considered as consultant lobbyists or in-house lobbyists;

(f) for the purposes of clause 4(1)(l), prescribing individuals or categories of individuals to whom this Act does not apply;

(g) for the purposes of subsections 6(1) and 7(1), prescribing the form of a return;

(h) for the purposes of clause 8(1)(s), prescribing additional information to be included in a return;

(i) for the purposes of subsection 8(5), prescribing the form and manner of providing information to the registrar pursuant to subsections 8(3) and (4);

(j) for the purposes of section 11, prescribing the manner of publishing information and the contents of the information to be published;

(k) for the purposes of section 12, respecting the filing or submission of information in an electronic or other form;

(l) for the purposes of section 14, respecting the establishment, maintenance and operation of the registry;

(m) for the purposes of section 16, respecting the recording and storage of information in the registry;

(n) for the purposes of section 20 respecting the form and contents of notices of administrative penalties;

(o) prescribing and requiring the payment of fees for the filing of returns and for any service or information provided by the registrar pursuant to this Act or the regulations;

(p) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations;

(q) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

Coming into force

29 This Act comes into force on proclamation.

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